

AMENDED IN SENATE MAY 5, 1997

SENATE BILL

No. 515

Introduced by Senator Polanco

February 24, 1997

An act to amend ~~Section 7362.1 of~~ Sections 7362.1, 7390, 7391, 7392, 7393, 7394, and 7395 of, and to add and repeal Sections 7362.2 and 7362.3 of, the Business and Professions Code, relating to barbering and cosmetology, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 515, as amended, Polanco. Cosmetology school requirements.

~~Existing~~

Under existing law various schooling, licensing, and continuing education provisions of the Barbering and Cosmetology Act provide that a school of cosmetology approved by the State Board of Barbering and Cosmetology shall meet certain equipment, floor space, and course requirements, as specified. Those provisions will become inoperative July 1, 1997, and will be repealed effective January 1, 1998.

This bill would, with respect to those provisions, extend the date of inoperation until July 1, 2001, and the date of repeal until January 1, 2002. The bill would also make certain specified school of barbering and school of electrology requirements subject to the extension.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7362.1 of the Business and
2 Professions Code is amended to read:

3 7362.1. A school of cosmetology approved by the
4 board shall also meet all of the following:

5 (a) Possess the equipment and floor space necessary
6 for comprehensive instruction of 25 cosmetology students
7 or the number of students enrolled in the course,
8 whichever is greater.

9 (b) Have entered on the roll of a proposed school of
10 cosmetology at least 25 bona fide, full-time students for
11 the cosmetology course. For purposes of this section, a
12 bona fide, full-time student is a person who has been
13 entered on the roll of a proposed school of cosmetology
14 and has committed to attend a full course in cosmetology.

15 (c) Maintain a course of practical training and
16 technical instruction for the full cosmetology course as
17 specified in this chapter and in board regulations. A
18 course of instruction in any branch of cosmetology shall
19 be taught in a school of cosmetology.

20 This section shall become inoperative on July 1, 2001,
21 and, as of January 1, 2002, is repealed, unless a later
22 enacted statute, which becomes effective on or before
23 January 1, 2002, deletes or extends the dates on which it
24 becomes inoperative and is repealed.

25 SEC. 2. Section 7362.2 is added to the Business and
26 Professions Code, to read:

27 7362.2. A school of barbering approved by the board
28 shall also do all of the following:

29 (a) Possess the equipment and floor space necessary
30 for comprehensive instruction of 15 barber students or
31 the number of students enrolled in the course, whichever
32 is greater.

33 (b) Have entered on the roll of a proposed school of
34 barbering at least 15 bona fide, full-time students for the
35 barber course. For purposes of this section, a bona fide,

1 *full-time student is a person who has been entered on the*
2 *roll of a proposed school of barbering and has committed*
3 *to attend a full course in barbering.*

4 *(c) Maintain a course of practical training and*
5 *technical instruction for the full barbering course as*
6 *specified in this chapter and in board regulations.*

7 *(d) This section shall become inoperative on July 1,*
8 *2001, and, as of January 1, 2002, is repealed, unless a later*
9 *enacted statute, which becomes effective on or before*
10 *January 1, 2002, deletes or extends the dates on which it*
11 *becomes inoperative and is repealed.*

12 *SEC. 3. Section 7362.3 is added to the Business and*
13 *Professions Code, to read:*

14 *7362.3. A school of electrology approved by the board*
15 *shall also do all of the following:*

16 *(a) Possess the equipment and floor space necessary*
17 *for comprehensive instruction of five electrology*
18 *students or the number of students enrolled in the course,*
19 *whichever is greater.*

20 *(b) Have entered on the roll of a proposed school of*
21 *electrology at least five bona fide, full-time students for*
22 *the electrology course. For purposes of this section, a*
23 *bona fide, full-time student is a person who has been*
24 *entered on the roll of a proposed school of electrology and*
25 *has committed to attend a full course in electrology.*

26 *(c) Maintain a course of practical training and*
27 *technical instruction for the full electrology course as*
28 *specified in this chapter and in board regulations.*

29 *(d) This section shall become inoperative on July 1,*
30 *2001, and, as of January 1, 2002, is repealed, unless a later*
31 *enacted statute, which becomes effective on or before*
32 *January 1, 2002, deletes or extends the dates on which it*
33 *becomes inoperative and is repealed.*

34 *SEC. 4. Section 7390 of the Business and Professions*
35 *Code is amended to read:*

36 *7390. A cosmetology or barbering instructor training*
37 *course shall consist of not less than 600 hours of practical*
38 *training and technical instruction in accordance with a*
39 *curriculum established by board regulation.*

1 This section shall become inoperative on July 1, ~~1997~~
2 ~~2001~~, and, as of January 1, ~~1998~~ ~~2002~~, is repealed, unless a
3 later enacted statute, which becomes effective on or
4 before January 1, ~~1998~~ ~~2002~~, deletes or extends the dates
5 on which it becomes inoperative and is repealed.

6 *SEC. 5. Section 7391 of the Business and Professions*
7 *Code is amended to read:*

8 7391. The board shall admit to examination for license
9 as a cosmetology or barbering instructor any person who
10 has made application to the board in the proper form,
11 who has paid the fee required by this chapter, and who
12 meets the following qualifications:

13 (a) Has completed the 12th grade or an accredited
14 senior high school course of study in public schools of this
15 state or its equivalent.

16 (b) Is not subject to denial pursuant to Section 480.

17 (c) Holds a valid license to practice cosmetology or
18 barbering in this state.

19 (d) Has done at least one of the following:

20 (1) Completed a cosmetology or barbering instructor
21 training course in an approved school in this state or
22 equivalent training in an approved school in another
23 state.

24 (2) Completed not less than the equivalent of 10
25 months of practice as a teacher assistant or teacher aide
26 in a school approved by the board.

27 (3) Practiced cosmetology or barbering in a licensed
28 establishment in this state for a period of one year within
29 the three years immediately preceding application, or its
30 equivalent in another state. An applicant using practical
31 experience to qualify under this section shall submit an
32 affidavit signed by his or her employers attesting to the
33 qualifying experience.

34 This section shall become inoperative on July 1, ~~1997~~
35 ~~2001~~, and, as of January 1, ~~1998~~ ~~2002~~, is repealed, unless a
36 later enacted statute, which becomes effective on or
37 before January 1, ~~1998~~ ~~2002~~, deletes or extends the dates
38 on which it becomes inoperative and is repealed.

39 *SEC. 6. Section 7392 of the Business and Professions*
40 *Code is amended to read:*

1 7392. Each licensed instructor shall complete at least
2 30 clock hours of continuing education in the teaching of
3 vocational education during each two-year licensing
4 period. This section does not apply to an instructor who
5 holds a credential to teach vocational education full time
6 in a public school in this state.

7 For purposes of this section, programs designed for
8 continuing education in the teaching of vocational
9 education may include, but not be limited to,
10 development of understanding and competency in the
11 learning process, instructional techniques, curriculum
12 and media, instructional evaluation, counseling and
13 guidance, and the special needs of students.

14 The board shall adopt regulations establishing
15 standards for the approval of continuing education
16 courses and for the effective administration and
17 enforcement of its continuing education requirements.

18 This section shall become inoperative on July 1, ~~1997~~
19 ~~2001~~, and, as of January 1, ~~1998~~ 2002, is repealed, unless a
20 later enacted statute, which becomes effective on or
21 before January 1, ~~1998~~ 2002, deletes or extends the dates
22 on which it becomes inoperative and is repealed.

23 *SEC. 7. Section 7393 of the Business and Professions*
24 *Code is amended to read:*

25 7393. As a condition of the renewal of the license of an
26 instructor, the board may periodically require instructors
27 to demonstrate current competence through continuing
28 education as provided for in this chapter.

29 This section shall become inoperative on July 1, ~~1997~~
30 ~~2001~~, and, as of January 1, ~~1998~~ 2002, is repealed, unless a
31 later enacted statute, which becomes effective on or
32 before January 1, ~~1998~~ 2002, deletes or extends the dates
33 on which it becomes inoperative and is repealed.

34 *SEC. 8. Section 7394 of the Business and Professions*
35 *Code is amended to read:*

36 7394. The board's continuing education requirements
37 shall not apply to instructors whose licenses are on
38 inactive status according to the records maintained by
39 the board.

1 Instructors whose licenses are on inactive status may
2 not be employed as instructors in schools approved by the
3 board.

4 Instructors whose licenses are on inactive status must
5 complete at least 30 hours of continuing education in the
6 teaching of vocational education as a condition of
7 reinstatement to active status.

8 This section shall become inoperative on July 1, ~~1997~~
9 ~~2001~~, and, as of January 1, ~~1998~~ 2002, is repealed, unless a
10 later enacted statute, which becomes effective on or
11 before January 1, ~~1998~~ 2002, deletes or extends the dates
12 on which it becomes inoperative and is repealed.

13 *SEC. 9. Section 7395 of the Business and Professions*
14 *Code is amended to read:*

15 7395. If an instructor with an active license status does
16 not provide proof of compliance with the continuing
17 education requirements provided for in this chapter
18 within 45 days of a request from the board, the instructor's
19 license shall revert to inactive status until proof of
20 compliance is provided to the board.

21 This section shall become inoperative on July 1, ~~1997~~
22 ~~2001~~, and, as of January 1, ~~1998~~ 2002, is repealed, unless a
23 later enacted statute, which becomes effective on or
24 before January 1, ~~1998~~ 2002, deletes or extends the dates
25 on which it becomes inoperative and is repealed.

26 *SEC. 10.* This act is an urgency statute necessary for
27 the immediate preservation of the public peace, health,
28 or safety within the meaning of Article IV of the
29 Constitution and shall go into immediate effect. The facts
30 constituting the necessity are:

31 In order to prevent a lapse in qualification standards for
32 schools of cosmetology, it is necessary that this act take
33 effect immediately.

